

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	Asanda Inc.	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names		
3. Debtor's federal Employer Identification Number (EIN)	45-4560095	
4. Debtor's address	Principal place of business 598 Broadway New York, NY 10012 Number, Street, City, State & ZIP Code New York County	Mailing address, if different from principal place of business P.O. Box, Number, Street, City, State & ZIP Code Location of principal assets, if different from principal place of business Number, Street, City, State & ZIP Code
5. Debtor's website (URL)		
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor Asanda Inc.  
Name

Case number (if known) \_\_\_\_\_

**7. Describe debtor's business**

*A. Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

*B. Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

*C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.*  
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District _____	When _____	Case number _____
District _____	When _____	Case number _____

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

- ☒ No
- ☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor _____	Relationship _____
District _____	When _____ Case number, if known _____

Debtor Asanda Inc.  
Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number, Street, City, State & ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

**14. Estimated number of creditors**

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

**15. Estimated Assets**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

**16. Estimated liabilities**

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☒ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor Asanda Inc.  
Name

Case number (if known) \_\_\_\_\_

**Request for Relief, Declaration, and Signatures**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature  
of authorized  
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 11, 2017  
MM / DD / YYYY

**X** /s/ Gene Frisco  
Signature of authorized representative of debtor

Gene Frisco  
Printed name

Title Managing Director

**18. Signature of attorney**

**X** /s/ Jonathan S. Pasternak  
Signature of attorney for debtor

Date January 11, 2017  
MM / DD / YYYY

Jonathan S. Pasternak  
Printed name

DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
Firm name

One North Lexington Avenue  
White Plains, NY 10601  
Number, Street, City, State & ZIP Code

Contact phone (914) 681-0200 Email address \_\_\_\_\_

\_\_\_\_\_  
Bar number and State

**Fill in this information to identify the case:**

Debtor name Asanda Inc.

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number (if known) \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 11, 2017

**X** /s/ Gene Frisco

Signature of individual signing on behalf of debtor

Gene Frisco

Printed name

Managing Director

Position or relationship to debtor

**Fill in this information to identify the case:**

Debtor name Asanda Inc.  
United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK  
Case number (if known): \_\_\_\_\_

☐ Check if this is an  
amended filing

**Official Form 204**

**Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

**A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.**

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Concept Heaven 515 Broadway Ste 1AF New York, NY 10012						\$512,604.00
Rhonda Schladerbach 130 W 24th Street New York, NY 10011						\$334,000.00
Robin Connors 503 Lass Brass Ct Peachtree City, GA 30269						\$110,000.00
NYS Dept of Tax & Finance Bankruptcy Special Procudres 15 Metro Tech Center, 5th Fl. Brooklyn, NY 11201						\$50,000.00
598 Broadway Realty Assoc, Inc PO Box 514 Prince St Station attn: Steven Mosery, President New York, NY 10012						\$50,000.00
Joshua Vasbinder 131 W 75th Street #2B NY						\$42,600.00
Saint Hung 425 5th Avenue #18E New York, NY 10016						\$42,600.00
Kerry Bunday 3460 119th Avenue NE Bellevue, WA 98005						\$35,000.00

Debtor Asanda Inc.  
Name

Case number (if known) \_\_\_\_\_

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
NYS Dept of Tax & Finance Bankruptcy Special Procudres 15 Metro Tech Center, 5th Fl. Brooklyn, NY 11201						\$24,000.00
R&R Commercial Service 9116 3rd Avenue Apt. 1R Brooklyn, NY 11209						\$20,000.00
Julie A Mosery PO Box 616 New York, NY 10014						\$7,000.00
Chad A Mosery PO Box 615 New York, NY 10013						\$7,000.00
Jared R. Mosery PO Box 614 New York, NY 10012						\$7,000.00

B2030 (Form 2030) (12/15)

**United States Bankruptcy Court**  
**Southern District of New York**

In re Asanda Inc.

Debtor(s)

Case No.

Chapter

11

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept .....	\$	<u>33,500.00</u>
Prior to the filing of this statement I have received .....	\$	<u>27,500.00</u>
Balance Due .....	\$	<u>6,000.00</u>

2. \$ 1,717.00 of the filing fee has been paid.
3. The source of the compensation paid to me was:  
☒ Debtor ☐ Other (specify):
4. The source of compensation to be paid to me is:  
☒ Debtor ☐ Other (specify):
5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.  
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
  - [Other provisions as needed]
7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

January 11, 2017

Date

/s/ Jonathan S. Pasternak

Jonathan S. Pasternak

Signature of Attorney

DelBello Donnellan Weingarten Wise &amp; Wiederkehr, LLP

One North Lexington Avenue

White Plains, NY 10601

(914) 681-0200 Fax: (914) 684-0288

Name of law firm



**United States Bankruptcy Court  
Southern District of New York**

In re Asanda Inc.

Debtor(s)

Case No.

Chapter

11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Louis Balarezo			100%

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the Managing Director of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date January 11, 2017

Signature /s/ Gene Frisco  
Gene Frisco

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court  
Southern District of New York**

In re Asanda Inc. Debtor(s) Case No.                       
Chapter 11

**VERIFICATION OF CREDITOR MATRIX**

I, the Managing Director of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: January 11, 2017 /s/ Gene Frisco  
Gene Frisco/Managing Director  
Signer/Title

120 EAST 56TH STREET, LLC  
C/O FIRST PIONEER PROPERTIES  
34-09 QUEENS BLVD  
LONG ISLAND CITY, NY 11101

598 BROADWAY REALTY ASSOC, INC  
PO BOX 514 PRINCE ST STATION  
ATTN: STEVEN MOSERY, PRESIDENT  
NEW YORK, NY 10012

ACH CAPTIAL  
11 BROADWAY STE 814  
NEW YORK, NY 10004

AMERICAN EXPRESS BANK FSB  
C/O DATAMARK INC.  
43 BUTTERFIELD CIR  
EL PASO, TX 79906

CHAD A MOSERY  
PO BOX 615  
NEW YORK, NY 10013

CONCEPT HEAVEN  
515 BROADWAY STE 1AF  
NEW YORK, NY 10012

INTERNAL REVENUE SERVICE  
PO BOX 7346  
PHILADELPHIA, PA 19101-7346

INTERNAL REVENUE SERVICE  
2970 MARKET STREET  
MAIL STOP 5-Q30-133  
PHILADELPHIA, PA 19104-5016

JARED R. MOSERY  
PO BOX 614  
NEW YORK, NY 10012

JOSHUA VASBINDER  
131 W 75TH STREET  
#2B  
NY

JULIE A MOSERY  
PO BOX 616  
NEW YORK, NY 10014

KERRY BUNDAY  
3460 119TH AVENUE NE  
BELLEVUE, WA 98005

MORRISON COHEN  
ATTN: LAWRENCE B. SIMON, ESQ.  
909 THIRD AVENUE  
NEW YORK, NY 10022

NEXTWAVE ENTERPRISES LLC  
5757 BLUE LAGOON DRIVE  
MIAMI, FL 33126

NYC CORPORATION COUNSEL  
100 CHURCH STREET, ROOM 5-240  
ATTN: TAX & BKCY LIT. DIV.  
NEW YORK, NY 10007

NYC DEPARTMENT OF FINANCE  
345 ADAMS STREET, 3RD FLOOR  
ATTN: LEGAL AFFAIRS DIVISION  
BROOKLYN, NY 11201-3719

NYS DEPT OF TAX & FINANCE  
BANKRUPTCY SPECIAL PROCUDRES  
15 METRO TECH CENTER, 5TH FL.  
BROOKLYN, NY 11201

NYS UNEMPLOYMENT  
INSURANCE FUND  
P.O. BOX 551  
ALBANY, NY 12201

OFFICE OF THE U.S. TRUSTEE  
US FEDERAL OFFICE BUILDING  
201 VARICK STREET, STE 1006  
NEW YORK, NY 10014

ON DECK CAPITAL  
901 NORTH STUART STREET  
STE 700  
ARLINGTON, VA 22203

R&R COMMERCIAL SERVICE  
9116 3RD AVENUE APT. 1R  
BROOKLYN, NY 11209

RHONDA SCHLADERBACH  
130 W 24TH STREET  
NEW YORK, NY 10011

ROBIN CONNORS  
503 LASS BRASS CT  
PEACHTREE CITY, GA 30269

SAINT HUNG  
425 5TH AVENUE #18E  
NEW YORK, NY 10016

SECURITY EXCHANGE COMMISSION  
NY REGIONAL OFFICE  
200 VESEY ST., SUITE 400  
NEW YORK, NY 10281

**United States Bankruptcy Court  
Southern District of New York**

In re Asanda Inc. Debtor(s) Case No. \_\_\_\_\_  
Chapter 11

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Asanda Inc. in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

January 11, 2017  
Date

/s/ Jonathan S. Pasternak  
Jonathan S. Pasternak  
Signature of Attorney or Litigant  
Counsel for Asanda Inc.  
DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
One North Lexington Avenue  
White Plains, NY 10601  
(914) 681-0200 Fax:(914) 684-0288

**United States Bankruptcy Court**  
**Southern District of New York**

In re	<u>Asanda Inc.</u>	Case No.	
	Debtor(s)	Chapter	<u>11</u>

## STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Gene Frisco, declare under penalty of perjury that I am the Vice-President of Asanda Inc., and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 11th day of January, 2017.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Gene Frisco, the Managing Director of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Gene Frisco, the Managing Director of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Gene Frisco, the Managing Director of this Corporation is authorized and directed to employ Jonathan S. Pasternak, attorney and the law firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP to represent the corporation in such bankruptcy case."

Date January 11, 2017 Signed /s/ Gene Frisco  
Gene Frisco, Managing Director

Resolution of Board of Directors  
of  
Asanda Inc.

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Gene Frisco, the Managing Director the of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that Gene Frisco, the Managing Director of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that Gene Frisco, the Managing Director of this Corporation is authorized and directed to employ Jonathan S. Pasternak, attorney and the law firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP to represent the corporation in such bankruptcy case.

Date January 11, 2017

Signed /s/ Gene Frisco  
Gene Frisco, Managing Director